

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

WOLFRAM ARNOLD, ERIK FROESE,  
TRACY HAWKINS, JOSEPH  
KILLIAN, LAURA CHAN PYTLARZ,  
and ANDREW SCHLAIKJER,

*Plaintiffs,*

v.

X CORP. f/k/a TWITTER, INC., X  
HOLDINGS CORP. f/k/a X  
HOLDINGS I, INC., and ELON MUSK,

*Defendants.*

C.A. No. 1:23-cv-528-CFC

**[PROPOSED] ORDER GRANTING DEFENDANT ELON MUSK’S  
MOTION TO DISMISS COUNTS I-XIV UNDER FEDERAL RULE OF  
CIVIL PROCEDURE 12(b)(2) AND ALTERNATIVE MOTION TO  
DISMISS UNDER FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)**

This matter is before the Court on Defendant Elon Musk’s Motion to Dismiss all counts of the First Amended Complaint (“FAC”) asserted against him (Counts I–XIV) under Federal Rule of Civil Procedure 12(b)(2) for lack of personal jurisdiction, and alternatively, under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim (“Motion”).

Upon careful consideration of the Motion and supporting Opening Brief, the Motion and supporting Opening Brief filed by all other Defendants, any Oppositions and Replies, and all materials and information provided to the Court in these submissions, the Court concludes that:

1. The Motion is **GRANTED**; and
2. Counts I-XIV of Plaintiffs' FAC are hereby **DISMISSED WITH PREJUDICE**.

**SO ORDERED.**

Dated: \_\_\_\_\_, 2023

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HON. COLM F. CONNOLLY  
United States District Chief Judge